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S/N 08/390,774

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael W. Morgan

Examiner: D. Pan

Serial #: 08/390,774

Group Art Unit: 2302

Filed: February 17, 1996

Docket: 20292.1US02

Title: METHOD AND APPARATUS FOR RECOGNIZING AND  
PERFORMING HANDWRITTEN CALCULATIONS

## DECLARATION UNDER 37 C.F.R. § 1.131

I, MICHAEL W. MORGAN, declare as follows:

1. I am the inventor of the subject matter described and claimed in the patent application identified above.

2. Prior to June 8, 1992, I completed the invention in this country as evidenced by the following:

(a) Prior to June 8, 1992, and in this country, I conceived the invention and actually reduced it to practice by writing software implementing the invention. Further, prior to June 8, 1992, and in this country, I executed the software on a computer to verify that it worked for its intended purpose.

(b) The aforementioned conception and actual reduction to practice are evidenced by Exhibits A and B attached hereto.

(c) Exhibit A is a design document entitled "SMART PAD: A CALCULATING PAD FOR PEN COMPUTERS," which describes the invention, including the concept of recognizing mathematical expressions comprised of operands and operators by a relative placement of the characters. See, e.g., page 1, "Symbols" section; page 2, "Numbers" section; and page 2, "Calculations"

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section. Although the date has been blocked out, Exhibit A is dated prior to June 8, 1992.

(d) Exhibit B comprises a printout of the source code implementing the working prototype of the present invention. Although the date has been blocked out, Exhibit B is dated prior to June 8, 1992. In addition, the source code of Exhibit B contains trade secrets and thus the Exhibit has been "zebra-striped" to prevent unauthorized use or disclosure of such trade secrets. Nonetheless, sufficient identifying material can be seen through the zebra-striping to support our claim that Exhibit B comprises the source code implementing the present invention.

3. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: February 29, 1996

  
Michael W. Morgan